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12/21/00
U.S. PTO

Express Mail Label No. EL598673206US

Docket No.: END9 2000 0184 US1

NEW UTILITY PATENT APPLICATION TRANSMITTAL

(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Total Pages this Submission: 31

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

12/21/00
U.S. PTO
09/746179

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

System and Method for Determining Network Discrete Utilization
and invented by:

HARRY R. GAIL, JR., FREDRICK K. P. KLASSEN, ROBERT M. SILVERMAN

ASSIGNEE: INTERNATIONAL BUSINESS MACHINES CORPORATION

RESIDENCE OF ASSIGNEE: ARMONK, NEW YORK

If a **CONTINUATION APPLICATION**, check the appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part(CIP) of prior application
No.:

Enclosed are:

Application Elements

01. Filing fee as calculated and transmitted as described below
02. Specification having 68 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (if applicable)
 - c. Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. Reference to Microfiche Appendix (if applicable)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (if drawings filed)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure
03. Drawing(s) when necessary as prescribed by 35 USC 113)
 - a. Formal
 - b. Informal

Number of sheets: 9

NEW UTILITY PATENT APPLICATION TRANSMITTAL

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(Only for new nonprovisional applications under 37 CFR 1.53(b))
Total Pages this Submission: 3

Application Elements (Continued)

04. • Oath or Declaration

- a. Newly executed (original or copy) • Not executed
- b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. • With Power of Attorney Without Power of Attorney

05. Incorporation By Reference (usable if box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of accompanying application and is hereby incorporated by reference therein.

06. Computer Program in Microfiche (Appendix)

07. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)

- a. Paper Copy
- b. Computer Readable Copy (identical to computer copy)
- c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

08. Assignment Papers (cover sheet & document(s))

09. 37 CFR 3.73(B) Statement (when there is an assignee)

10. English Translation Document (if applicable)

11. Information Disclosure Statement/PTO-1449 Copies of IDS citation

12. Preliminary Amendment

13. • Acknowledgment postcard

14. • Certificate of Mailing

First Class • Express Mail (Label No: EL598673206US)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

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Total Pages this Submission: 3

Accompanying Application Parts (Continued)

16. Additional Enclosures (identify below)

JC641 U.S. PTO
09/746179
12/21/00



Fee Calculation and Transmittal

CLAIMS AS FILED

For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	22	-20	2	x \$18.00	\$ 36.00
Indep. Claims	9	- 3	6	x \$80.00	\$ 480.00
Multiple Dependent Claims	_____				\$
				BASIC FEE	\$ 710.00
Other FEE (Specify purpose)					\$
				TOTAL FILING FEE	\$1,226.00

- A check in the amount of \$ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge and credit IBM Corporation Deposit Account No. 09-0457 as described below. A duplicate copy of this sheet is enclosed.
 - Charge the amount of \$1,226.00 as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees as required under 37 C.F.R. 1.16 and 1.17.
- Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 12/20/00



Signature

John R. Pivnichny
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cc:

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CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Harry R. Gail Jr. et al.

Docket No.

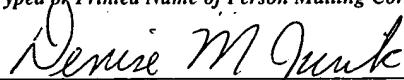
END92000884US

Serial No.
N/AFiling Date
HerewithExaminer
N/AGroup Art Date
5 1467 12/21/00
JC 001 12/21/00Invention: **SYSTEM AND METHOD FOR DETERMINING NETWORK DISCRETE UTILIZATION**

I hereby certify that the following correspondence:

New Patent application and Declaration*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

12/21/00
(Date)**Denise M. Jurik***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL598673206US***("Express Mail" Mailing Label Number)*

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